

AMENDED IN SENATE AUGUST 20, 2010  
AMENDED IN SENATE AUGUST 17, 2010  
AMENDED IN SENATE JULY 15, 2010  
AMENDED IN ASSEMBLY MAY 28, 2010  
AMENDED IN ASSEMBLY APRIL 12, 2010  
AMENDED IN ASSEMBLY MARCH 25, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 2079**

---

**Introduced by Assembly Members Torlakson and Davis**

February 18, 2010

---

An act to add Section 67365 to the Education Code, relating to student athletes.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2079, as amended, Torlakson. Student athletes: scholarships.

Existing law prohibits any person from giving, offering, promising, or attempting to give any money or any other thing of value to any particular student athlete or member of the immediate family of the student athlete for purposes of inducing or encouraging the student athlete's application, enrollment, or attendance at a public or private institution of postsecondary education in order to have the athlete participate in intercollegiate sporting events, contests, exhibitions, or programs at that institution, except in accordance with the bylaws of the National Collegiate Athletic Association, as specified.

This bill, commencing ~~July 1, 2011~~ *January 1, 2012*, would require a California postsecondary educational institution that offers athletic

scholarships, or that provides, by any delivery method, written material regarding its athletic program to a student athlete, to provide specified information on its Internet Web site that describes, among other things, the institution's athletic program's policies concerning athletic scholarship issuance, renewal, release, and medical expenses.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 67365 is added to the Education Code,  
2 to read:

3 67365. (a) For purposes of this section, the following  
4 definitions shall apply:

5 (1) "Athletic program" means any intercollegiate athletic  
6 program from a postsecondary educational institution in the State  
7 of California that solicits student athletes to apply, enroll, or attend  
8 the postsecondary educational institution in order to have the  
9 student athlete participate in intercollegiate sporting events,  
10 contests, exhibitions, or programs at that institution.

11 (2) "Student athlete" means an individual *who* attends an  
12 elementary, junior high, high school, or postsecondary educational  
13 institution, and who participates in any interscholastic athletic  
14 program in California, including an individual who receives  
15 scholarship funds for his or her athletic participation and an  
16 individual who does not receive scholarship funds for his or her  
17 athletic participation.

18 (b) Commencing ~~July 1, 2011~~ *January 1, 2012*, a California  
19 postsecondary educational institution that offers athletic  
20 scholarships shall provide all of the following information on its  
21 Internet Web site:

22 (1) All of the following athletic scholarship information:

23 (A) The most recent cost of attendance expenses as published  
24 by the postsecondary educational institution's financial aid offices  
25 for the academic year and for the summer year.

26 (B) The sum of expenses identified in subparagraph (A) that  
27 are prohibited from inclusion in a full grant-in-aid athletic  
28 scholarship pursuant to the National Collegiate Athletic  
29 Association's (NCAA) rules and regulations.

1 (C) The policy of the postsecondary educational institution's  
2 athletic program as to whether student athletes will receive athletic  
3 scholarships for summer school, and, if so, whether these  
4 scholarships are proportional to athletic scholarships received  
5 during the regular academic school year.

6 (D) The average monthly full grant-in-aid athletic scholarship  
7 payment received by student athletes who live on-campus and  
8 off-campus, respectively, during the regular academic year and  
9 summer school session.

10 (E) The following information relating to NCAA scholarship  
11 rules: "Pursuant to NCAA rules, a verbal commitment is not  
12 binding on either the student athlete or the institution. The National  
13 Letter of Intent is a binding agreement between a prospective  
14 student athlete and an institution in which the institution agrees to  
15 provide a prospective student athlete who is admitted to the  
16 institution and is eligible for financial aid under NCAA rules  
17 athletics aid for one academic year in exchange for the prospective  
18 student athlete's agreement to attend the institution for one  
19 academic year. The National Letter of Intent must be accompanied  
20 by an institutional financial aid agreement. If the prospective  
21 student athlete signs the National Letter of Intent but does not  
22 enroll at that institution for a full academic year, he or she may be  
23 subject to specific penalties, including loss of a season of eligibility  
24 and a mandatory residence requirement."

25 (2) All of the following athletic scholarship renewal information:

26 (A) The NCAA's policy on scholarship duration.

27 (B) The policy of the postsecondary educational institution's  
28 athletic program concerning the renewal or nonrenewal of an  
29 athletic scholarship, including circumstances in which a student  
30 athlete in good standing suffers a temporary or permanent  
31 sports-related injury, there is a coaching change, or a student  
32 athlete's athletic performance is deemed to be below expectations.

33 (3) All of the following athletically related medical expenses  
34 information:

35 (A) The NCAA's policy on whether athletic programs are  
36 mandated to pay for athletically related medical expenses.

37 (B) The policy of the postsecondary educational institution's  
38 athletic program on whether it will pay for student athletes'  
39 athletically related medical expenses, including deductibles,  
40 copays, coinsurance, and whether the program will pay for

1 athletically related medical expenses that exceed any maximum  
2 insurance coverage limits.

3 (C) The policy of the institution's athletic program concerning  
4 who is required to pay for any required athletically related  
5 insurance premiums for student athletes who do not have such  
6 insurance.

7 (D) The duration of time the postsecondary educational  
8 institution's athletic program continues to pay for athletically  
9 related medical expenses after a student athlete's athletic eligibility  
10 expires.

11 (E) Whether or not an athletic program's medical policy covers  
12 expenses associated with attaining a second medical opinion for  
13 an athletically related injury from a medical physician ~~that~~ *who* is  
14 not associated with the athletic program, and whether the athletic  
15 program provides coverage for services received by such a  
16 physician.

17 (4) All of the following athletic release information:

18 (A) The NCAA policy on whether an athletic program may  
19 refuse to grant an athletic release to a student athlete who wishes  
20 to transfer to another postsecondary educational institution.

21 (B) The policy of the postsecondary educational institution's  
22 athletic program concerning whether it may use any power to  
23 refuse to grant an athletic release for a student athlete who wishes  
24 to transfer to another postsecondary educational institution.

25 *(c) Commencing January 1, 2012, a postsecondary educational*  
26 *institution that provides, by any delivery method, written material*  
27 *regarding its athletic program to a student athlete shall include a*  
28 *direct link to the institution's Internet Web page, where the student*  
29 *athlete shall be able to access all of the information regarding the*  
30 *institution's athletic scholarship program as described in*  
31 *subdivision (b).*